

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DOUGLAS CHRISTOPHER RICCIO,
Plaintiff,
v.
MINERAL COUNTY SHERIFF, *et al.*,
Defendants.

Case No. 3:22-cv-00397-ART-CSD
ORDER

11 Pro se Plaintiff Douglas Christopher Riccio (“Riccio”) brings this action
12 under 42 U.S.C. § 1983 alleging a violation of his Fourth Amendment rights by
13 members of the Mineral County Sheriff’s Department. Before the Court is the
14 Report and Recommendation (“R&R” or “Recommendation”) of United States
15 Magistrate Judge Craig S. Denney (ECF No. 8), recommending the Court dismiss
16 this action without prejudice and administratively close this case. Plaintiff had
17 until April 11, 2023 to file an objection. To date, no objection to the R&R has
18 been filed. For this reason, and as explained below, the Court adopts the R&R,
19 and will dismiss the case without prejudice and administratively close the case.

20 The Court “may accept, reject, or modify, in whole or in part, the findings
21 or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where
22 a party fails to object to a magistrate judge’s recommendation, the Court is not
23 required to conduct “any review at all . . . of any issue that is not the subject of
24 an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v.*
25 *Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the
26 magistrate judges’ findings and recommendations is required if, but *only* if, one
27 or both parties file objections to the findings and recommendations.”) (emphasis
28 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that

1 the Court “need only satisfy itself that there is no clear error on the face of the
2 record in order to accept the recommendation.”).

3 Because there is no objection, the Court need not conduct de novo review,
4 and is satisfied Judge Denney did not clearly err. Here, Judge Denney
5 recommends dismissing the action without prejudice and administratively
6 closing the case. (ECF No. 8 at 2). Riccio first failed to identify the defendants he
7 claimed were identified in the violation of his rights and subsequently failed to
8 file an amended complaint in compliance with the Local Rules. (ECF Nos. 1-1, 3,
9 7). The Court agrees with Judge Denney. Having reviewed the R&R and the
10 record in this case, the Court will adopt the R&R in full.

11 It is therefore ordered that Judge Denney’s Report and Recommendation
12 (ECF No. 8) is accepted and adopted in full.

13 It is further ordered that this action is dismissed without prejudice.

14 The Clerk of Court is respectfully directed to administratively close this
15 case.

16 DATED THIS 16th day of June 2023.

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19 ANNE R. TRAUM
20 UNITED STATES DISTRICT JUDGE
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